

Union Calendar No. 2

103D CONGRESS
1ST SESSION

H. R. 2

[Report No. 103-9]

A BILL

To establish national voter registration procedures
for Federal elections, and for other purposes.

FEBRUARY 2, 1993

Reported with amendments, committed to the Committee
of the Whole House on the State of the Union, and or-
dered to be printed

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To establish national voter registration procedures for Federal elections, and
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IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SWIFT (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. HOYER, Mr. LEWIS of Georgia, Mr. DERRICK, Mrs. KENNELLY, Mr. RICHARDSON, Mr. FAZIO, Mr. ROSE, Mr. CONYERS, Mr. CLAY, Mr. GEJDENSON, Mr. FROST, Mr. MANTON, Mr. KLECZKA, Mr. KILDEE, Mr. MAZZOLI, Mr. SCHUMER, Mr. DURBIN, Mr. DICKS, Mrs. MORELLA, Mr. McDERMOTT, Mrs. UNSOELD, Ms. CANTWELL, Mr. INSLEE, Mr. KREIDLER, Mr. KLEIN, and Mr. BROWN of Ohio) introduced the following bill; which was referred to the Committee on House Administration

FEBRUARY 2, 1993

Additional sponsors: Mr. ACKERMAN, Mr. BACCHUS of Florida, Mrs. BYRNE, Mr. CLYBURN, Mr. DEUTSCH, Mr. EDWARDS of California, Mr. FILNER, Mr. GREEN of Texas, Mr. KANJORSKI, Mr. KOPETSKI, Mr. McHALE, Mr. NADLER, Mr. PASTOR, Ms. PELOSI, Mr. REYNOLDS, Mr. SWETT, Mr. BAESLER, Mr. FINGERHUT, Ms. FURSE, Mr. KLINK, Ms. McKINNEY, Mr. MEEHAN, Mr. MENENDEZ, Ms. NORTON, Mr. ROMERO-BARCELO, Ms. SHEPHERD, Mr. STUPAK, Ms. WOOLSEY, Mr. ANDREWS of New Jersey, Mr. BECERRA, Mr. BROWN of California, Ms. DELAURO, Mr. DELUMS, Mr. FIELDS of Louisiana, Mr. GUTIERREZ, Mr. HALL of Ohio, Ms. HARMAN, Ms. JOHNSON of Texas, Mr. MORAN, Mr. NEAL of Massachusetts, Mr. OBEY, Mr. OLVER, Mr. PETERSON of Minnesota, Ms. VELAZQUEZ, and Mr. WYNN

FEBRUARY 2, 1993

Reported with amendments, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

A BILL

To establish national voter registration procedures for
Federal elections, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Voter Reg-
5 istration Act of 1993”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) the right of citizens of the United States to
9 vote is a fundamental right;

10 (2) it is the duty of the Federal, State, and
11 local governments to promote the exercise of that
12 right; and

13 (3) discriminatory and unfair registration laws
14 and procedures can have a direct and damaging ef-
15 fect on voter participation in elections for Federal
16 office and disproportionately harm voter participa-
17 tion by various groups, including racial minorities.

18 (b) PURPOSES.—The purposes of this Act are—

1 (1) to establish procedures that will increase
2 the number of eligible citizens who register to vote
3 in elections for Federal office;

4 (2) to make it possible for Federal, State, and
5 local governments to implement this Act in a man-
6 ner that enhances the participation of eligible citi-
7 zens as voters in elections for Federal office;

8 (3) to protect the integrity of the electoral proc-
9 ess; and

10 (4) to ensure that accurate and current voter
11 registration rolls are maintained.

12 **SEC. 3. DEFINITIONS.**

13 As used in this Act—

14 (1) the term “election” has the meaning stated
15 in section 301(1) of the Federal Election Campaign
16 Act of 1971 (2 U.S.C. 431(1));

17 (2) the term “Federal office” has the meaning
18 stated in section 301(3) of the Federal Election
19 Campaign Act of 1971 (2 U.S.C. 431(3));

20 (3) the term “motor vehicle driver’s license” in-
21 cludes any personal identification document issued
22 by a State motor vehicle authority;

23 (4) the term “State” means a State of the
24 United States and the District of Columbia; and

1 (5) the term “voter registration agency” means
2 an office designated under section 7(a)(1) to per-
3 form voter registration activities.

4 **SEC. 4. NATIONAL PROCEDURES FOR VOTER REGISTRA-**
5 **TION FOR ELECTIONS FOR FEDERAL OFFICE.**

6 (a) IN GENERAL.—Except as provided in subsection
7 (b), notwithstanding any other Federal or State law, in
8 addition to any other method of voter registration pro-
9 vided for under State law, each State shall establish proce-
10 dures to register to vote in elections for Federal office—

11 (1) by application made simultaneously with an
12 application for a motor vehicle driver’s license pursu-
13 ant to section 5;

14 (2) by mail application pursuant to section 6;
15 and

16 (3) by application in person—

17 (A) at the appropriate registration site
18 designated with respect to the residence of the
19 applicant in accordance with State law; and

20 (B) at a Federal, State, or nongovern-
21 mental office designated under section 7.

22 (b) NONAPPLICABILITY TO CERTAIN STATES.—This
23 Act does not apply to a State described in either or both
24 of the following paragraphs:

1 (1) A State in which there is no voter registra-
2 tion requirement for any voter in the State with re-
3 spect to an election for Federal office.

4 (2) A State in which all voters in the State may
5 register to vote at the polling place at the time of
6 voting in a general election for Federal office.

7 **SEC. 5. SIMULTANEOUS APPLICATION FOR VOTER REG-**
8 **ISTRATION AND APPLICATION FOR MOTOR**
9 **VEHICLE DRIVER'S LICENSE.**

10 (a) IN GENERAL.—(1) Except as provided in sub-
11 section (b), each State motor vehicle driver's license appli-
12 cation (including any renewal application) submitted to
13 the appropriate State motor vehicle authority under State
14 law shall serve as an application for voter registration with
15 respect to elections for Federal office.

16 (2) An application for voter registration submitted
17 under paragraph (1) shall be considered as updating any
18 previous voter registration by the applicant.

19 (b) DECLINATION TO REGISTER.—(1) An applicant
20 for a State motor vehicle driver's license may decline in
21 writing to be registered by means of the motor vehicle
22 driver's license application.

23 (2) No information relating to a declination pursuant
24 to paragraph (1) may be used for any purpose other than
25 voter registration.

1 (c) FORMS AND PROCEDURES.—(1) Each State shall
2 include a voter registration application form for elections
3 for Federal office as part of an application for a State
4 motor vehicle driver's license.

5 (2) The voter registration application portion of an
6 application for a State motor vehicle driver's license—

7 (A) may not require any information that dupli-
8 cates information required in the driver's license
9 portion of the form (other than a second signature
10 or other information necessary under subparagraph
11 (C));

12 (B) shall include a means by which an applicant
13 may decline to register to vote pursuant to sub-
14 section (b);

15 (C) may require only the minimum amount of
16 information necessary to—

17 (i) prevent duplicate voter registrations;
18 and

19 (ii) enable State election officials to assess
20 the eligibility of the applicant and to administer
21 voter registration and other parts of the elec-
22 tion process;

23 (D) shall include a statement that—

24 (i) states each eligibility requirement (in-
25 cluding citizenship);

1 (ii) contains an attestation that the appli-
2 cant meets each such requirement; and

3 (iii) requires the signature of the applicant,
4 under penalty of perjury; and

5 (E) shall be made available (as submitted by
6 the applicant, or in machine readable or other for-
7 mat) to the appropriate State election official as pro-
8 vided by State law.

9 (d) CHANGE OF ADDRESS.—Any change of address
10 form submitted in accordance with State law for purposes
11 of a State motor vehicle driver's license shall serve as noti-
12 fication of change of address for voter registration with
13 respect to elections for Federal office for the registrant
14 involved unless the registrant states on the form that the
15 change of address is not for voter registration purposes.

16 **SEC. 6. MAIL REGISTRATION.**

17 (a) FORM.—(1) Each State shall accept and use the
18 mail voter registration application form prescribed by the
19 Federal Election Commission pursuant to section 9(a)(2)
20 for the registration of voters in elections for Federal office.

21 (2) In addition to accepting and using the form de-
22 scribed in paragraph (1), a State may develop and use
23 a mail voter registration form that meets all of the criteria
24 stated in section 9(b) for the registration of voters in elec-
25 tions for Federal office.

1 (3) A form described in paragraph (1) or (2) shall
2 be accepted and used for notification of a registrant's
3 change of address.

4 (b) AVAILABILITY OF FORMS.—The chief State elec-
5 tion official of a State shall make the forms described in
6 subsection (a) available for distribution through govern-
7 mental and private entities, with particular emphasis on
8 making them available for organized voter registration
9 programs.

10 (c) FIRST-TIME VOTERS.—(1) Subject to paragraph
11 (2), a State may by law require a person to vote in person
12 if—

13 (A) the person was registered to vote in a juris-
14 diction by mail; and

15 (B) the person has not previously voted in that
16 jurisdiction.

17 (2) Paragraph (1) does not apply in the case of a
18 person—

19 (A) who is entitled to vote by absentee ballot
20 under the Uniformed and Overseas Citizens Absen-
21 tee Voting Act (42 U.S.C. 1973ff–1 et seq.);

22 (B) who is provided the right to vote otherwise
23 than in person under section 3(b)(2)(B)(ii) of the
24 Voting Accessibility for the Elderly and Handi-
25 capped Act (42 U.S.C. 1973ee–1(b)(2)(B)(ii)); or

1 (C) who is entitled to vote otherwise than in
2 person under any other Federal law.

3 **SEC. 7. VOTER REGISTRATION AGENCIES.**

4 (a) DESIGNATION.—(1) Each State shall designate
5 agencies for the registration of voters in elections for Fed-
6 eral office.

7 (2) Each State shall designate as voter registration
8 agencies—

9 (A) all offices in the State that provide public
10 assistance, unemployment compensation, or related
11 services; and

12 (B) all offices in the State that provide State-
13 funded programs primarily engaged in providing
14 services to persons with disabilities.

15 (3)(A) In addition to voter registration agencies des-
16 ignated under paragraph (2), each State shall designate
17 other offices within the State as voter registration agen-
18 cies.

19 (B) Voter registration agencies designated under sub-
20 paragraph (A) may include—

21 (i) State or local government offices such as
22 public libraries, public schools, offices of city and
23 county clerks (including marriage license bureaus),
24 fishing and hunting license bureaus, government rev-
25 enue offices, and offices not described in paragraph

1 (2)(B) that provide services to persons with disabil-
2 ities; and

3 (ii) Federal and nongovernmental offices, with
4 the agreement of such offices.

5 (4)(A) At each voter registration agency, the follow-
6 ing services shall be made available:

7 (i) Distribution of mail voter registration appli-
8 cation forms in accordance with paragraph (6).

9 (ii) Assistance to applicants in completing voter
10 registration application forms.

11 (iii) Acceptance of completed voter registration
12 application forms for transmittal to the appropriate
13 State election official.

14 (B) If a voter registration agency designated under
15 paragraph (2)(B) provides services to a person with a dis-
16 ability at the person's home, the agency shall provide the
17 services described in subparagraph (A) at the person's
18 home.

19 (5) A person who provides service described in para-
20 graph (4) shall not—

21 (A) seek to influence an applicant's political
22 preference or party registration;

23 (B) display any such political preference or
24 party allegiance; or

1 (C) make any statement to an applicant or take
2 any action the purpose or effect of which is to dis-
3 courage the applicant from registering to vote.

4 (6) A voter registration agency that is an office that
5 provides service or assistance in addition to conducting
6 voter registration shall—

7 (A) distribute with each application for such
8 service or assistance, and with each recertification,
9 renewal, or change of address form relating to such
10 service or assistance—

11 (i) the mail voter registration application
12 form described in section 9(a)(2); or

13 (ii) the office's own form if it is ~~substan-~~
14 ~~tially~~ equivalent to the form described in section
15 9(a)(2),

16 unless the applicant, in writing, declines to register
17 to vote;

18 (B) to the greatest extent practicable, incor-
19 porate in application forms and other forms used at
20 those offices for purposes other than voter registra-
21 tion a means by which a person who completes the
22 form may decline, in writing, to register to vote in
23 elections for Federal office; and

24 (C) provide to each applicant who does not de-
25 cline to register to vote the same degree of assist-

1 ance with regard to the completion of the registra-
2 tion application form as is provided by the office
3 with regard to the completion of its own forms.

4 (7) No information relating to a declination to reg-
5 ister to vote in connection with an application made at
6 an office described in paragraph (6) may be used for any
7 purpose other than voter registration.

8 (b) FEDERAL GOVERNMENT AND PRIVATE SECTOR
9 COOPERATION.—All departments, agencies, and other en-
10 tities of the executive branch of the Federal Government
11 shall, to the greatest extent practicable, cooperate with the
12 States in carrying out subsection (a), and all nongovern-
13 mental entities are encouraged to do so.

14 (c) TRANSMITTAL DEADLINE.—(1) Subject to para-
15 graph (2), a completed registration application accepted
16 at a voter registration agency shall be transmitted to the
17 appropriate State election official not later than 10 days
18 after the date of acceptance.

19 (2) If a registration application is accepted within 5
20 days before the last day for registration to vote in an elec-
21 tion, the application shall be transmitted to the appro-
22 priate State election official not later than 5 days after
23 the date of acceptance.

1 **SEC. 8. REQUIREMENTS WITH RESPECT TO ADMINISTRA-**
2 **TION OF VOTER REGISTRATION.**

3 (a) IN GENERAL.—In the administration of voter
4 registration for elections for Federal office, each State
5 shall—

6 (1) ensure that any eligible applicant is reg-
7 istered to vote in an election—

8 (A) in the case of registration with a motor
9 vehicle application under section 5, if the valid
10 voter registration form of the applicant is sub-
11 mitted to the appropriate State motor vehicle
12 authority not later than the lesser of 30 days,
13 or the period provided by State law, before the
14 date of the election;

15 (B) in the case of registration by mail
16 under section 6, if the valid voter registration
17 form of the applicant is postmarked not later
18 than the lesser of 30 days, or the period pro-
19 vided by State law, before the date of the elec-
20 tion;

21 (C) in the case of registration at a voter
22 registration agency, if the valid voter registra-
23 tion form of the applicant is accepted at the
24 voter registration agency not later than the
25 lesser of 30 days, or the period provided by
26 State law, before the date of the election; and

1 (D) in any other case, if the valid voter
2 registration form of the applicant is received by
3 the appropriate State election official not later
4 than the lesser of 30 days, or the period pro-
5 vided by State law, before the date of the elec-
6 tion;

7 (2) require the appropriate State election offi-
8 cial to send notice to each applicant of the disposi-
9 tion of the application;

10 (3) provide that the name of a registrant may
11 not be removed from the official list of eligible voters
12 except—

13 (A) at the request of the registrant;

14 (B) as provided by State law, by reason of
15 criminal conviction or mental incapacity; or

16 (C) as provided under paragraph (4);

17 (4) conduct a general program that makes a
18 reasonable effort to remove the names of ineligible
19 voters from the official lists of eligible voters by rea-
20 son of—

21 (A) the death of the registrant; or

22 (B) a change in the residence of the reg-
23 istrant, in accordance with subsections (b), (c),
24 and (d);

1 (5) inform applicants under sections 5, 6, and
2 7 of—

3 (A) voter eligibility requirements; and

4 (B) penalties provided by law for submis-
5 sion of a false voter registration application;
6 and

7 (6) ensure that the identity of the voter reg-
8 istration agency through which any particular voter
9 is registered is not disclosed to the public.

10 (b) CONFIRMATION OF VOTER REGISTRATION.—Any
11 State program or activity to protect the integrity of the
12 electoral process by ensuring the maintenance of an accu-
13 rate and current voter registration roll for elections for
14 Federal office—

15 (1) shall be uniform, nondiscriminatory, and in
16 compliance with the Voting Rights Act of 1965 (42
17 U.S.C. 1973 et seq.); and

18 (2) shall not result in the removal of the name
19 of any person from the official list of voters reg-
20 istered to vote in an election for Federal office by
21 reason of the person's failure to vote.

22 (c) VOTER REMOVAL PROGRAMS.—(1) A State may
23 meet the requirement of subsection (a)(4) by establishing
24 a program under which—

1 (A) change-of-address information supplied by
2 the Postal Service through its licensees is used to
3 identify registrants whose addresses may have
4 changed; and

5 (B) if it appears from information provided by
6 the Postal Service that—

7 (i) a registrant has moved to a different
8 residence address in the same registrar's juris-
9 diction in which the registrant is currently reg-
10 istered, the registrar changes the registration
11 records to show the new address and sends the
12 registrant a notice of the change by forwardable
13 mail and a postage prepaid pre-addressed re-
14 turn form by which the registrant may verify or
15 correct the address information; or

16 (ii) the registrant has moved to a different
17 residence address not in the same registrar's ju-
18 risdiction, the registrar uses the notice proce-
19 dure described in subsection (d)(2) to confirm
20 the change of address.

21 (2)(A) A State shall complete, not later than 90 days
22 prior to the date of a primary or general election for Fed-
23 eral office, any program the purpose of which is to system-
24 atically remove the names of ineligible voters from the offi-
25 cial lists of eligible voters.

1 (B) Subparagraph (A) shall not be construed to
2 preclude—

3 (i) the removal of names from official lists of
4 voters on a basis described in paragraph (3) (A) or
5 (B) or (4)(A) of subsection (a); or

6 (ii) correction of registration records pursuant
7 to this Act.

8 (d) REMOVAL OF NAMES FROM VOTING ROLLS.—(1)
9 A State shall not remove the name of a registrant from
10 the official list of eligible voters in elections for Federal
11 office on the ground that the registrant has changed resi-
12 dence unless the registrant—

13 (A) confirms in writing that the registrant has
14 changed residence to a place outside the registrar's
15 jurisdiction in which the registrant is registered; or

16 (B)(i) has failed to respond to a notice de-
17 scribed in paragraph (2); and

18 (ii) has not voted or appeared to vote (and, if
19 necessary, correct the registrar's record of the reg-
20 istrant's address) in an election during the period
21 beginning on the date of the notice and ending on
22 the day after the date of the second general election
23 for Federal office that occurs after the date of the
24 notice.

1 (2) A notice is described in this paragraph if it is
2 a postage prepaid and pre-addressed return card, sent by
3 forwardable mail, on which the registrant may state his
4 or her current address, together with a notice to the fol-
5 lowing effect:

6 (A) If the registrant did not change his or her
7 residence, or changed residence but remained in the
8 registrar's jurisdiction, the registrant should return
9 the card not later than the time provided for mail
10 registration under subsection (a)(1)(B). If the card
11 is not returned, affirmation or confirmation of the
12 registrant's address may be required before the reg-
13 istrant is permitted to vote in a Federal election
14 during the period beginning on the date of the notice
15 and ending on the day after the date of the second
16 general election for Federal office that occurs after
17 the date of the notice, and if the registrant does not
18 vote in an election during that period the reg-
19 istrant's name will be removed from the list of eligi-
20 ble voters.

21 (B) If the registrant has changed residence to
22 a place outside the registrar's jurisdiction in which
23 the registrant is registered, information concerning
24 how the registrant can continue to be eligible to
25 vote.

1 (3) A voting registrar shall correct an official list of
2 eligible voters in elections for Federal office in accordance
3 with change of residence information obtained in conform-
4 ance with this subsection.

5 (e) PROCEDURE FOR VOTING FOLLOWING FAILURE
6 TO RETURN CARD.—(1) A registrant who has moved from
7 an address in the area covered by a polling place to an
8 address in the same area shall, notwithstanding failure to
9 notify the registrar of the change of address prior to the
10 date of an election, be permitted to vote at that polling
11 place upon oral or written affirmation by the registrant
12 of the change of address before an election official at that
13 polling place.

14 (2)(A) A registrant who has moved from an address
15 in the area covered by one polling place to an address in
16 an area covered by a second polling place within the same
17 registrar's jurisdiction and the same congressional district
18 and who has failed to notify the registrar of the change
19 of address prior to the date of an election, at the option
20 of the registrant—

21 (i) shall be permitted to correct the voting
22 records and vote at the registrant's former polling
23 place, upon oral or written affirmation by the reg-
24 istrant of the new address before an election official
25 at that polling place; or

1 (ii)(I) shall be permitted to correct the voting
2 records and vote at a central location within the
3 same registrar's jurisdiction designated by the reg-
4 istrar where a list of eligible voters is maintained,
5 upon written affirmation by the registrant of the
6 new address on a standard form provided by the
7 registrar at the central location; or

8 (II) shall be permitted to correct the voting
9 records for purposes of voting in future elections at
10 the appropriate polling place for the current address
11 and, if permitted by State law, shall be permitted to
12 vote in the present election, upon confirmation by
13 the registrant of the new address by such means as
14 are required by law.

15 (B) If State law permits the registrant to vote in the
16 current election upon oral or written affirmation by the
17 registrant of the new address at a polling place described
18 in subparagraph (A)(ii)(II), voting at the former polling
19 place as described in subparagraph (A)(i) and at a central
20 location as described in subparagraph (A)(ii)(I) need not
21 be provided as alternative options.

22 (3) If the registration records indicate that a reg-
23 istrant has moved from an address in the area covered
24 by a polling place, the registrant shall, upon oral or writ-
25 ten affirmation by the registrant before an election official

1 at that polling place that the registrant continues to reside
2 at the address previously made known to the registrar, be
3 permitted to vote at that polling place.

4 (f) CHANGE OF VOTING ADDRESS WITHIN A JURIS-
5 DICTION.—In the case of a change of address, for voting
6 purposes, of a registrant to another address within the
7 same registrar’s jurisdiction, the registrar shall correct the
8 voting registration list accordingly, and the registrant’s
9 name may not be removed from the official list of eligible
10 voters by reason of such a change of address except as
11 provided in subsection (d).

12 (g) CONVICTION IN FEDERAL COURT.—(1) On the
13 conviction of a person of a felony in a district court of
14 the United States, the United States attorney shall give
15 written notice of the conviction to the chief State election
16 official designated under section 10 of the State of the
17 person’s residence.

18 (2) A notice given pursuant to paragraph (1) shall
19 include—

20 (A) the name of the offender;

21 (B) the offender’s age and residence address;

22 (C) the date of entry of the judgment;

23 (D) a description of the offenses of which the
24 offender was convicted; and

25 (E) the sentence imposed by the court.

(5) The chief State election official shall notify the voter registration officials of the local jurisdiction in which an offender resides of the information received under this subsection.

19 **“§ 3629. Reduced rates for voter registration pur-**
20 **poses**

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1 ing that the official certifies is required or authorized by
 2 the National Voter Registration Act of 1993.”.

3 ~~(2) Section 2401(c) of title 39, United States Code,~~
 4 ~~is amended by striking “and 3626(a)–(h)” and inserting~~
 5 ~~“3626(a)–(h), and 3629”.~~

6 ~~(3) Section 3627 of title 39, United States Code, is~~
 7 ~~amended by striking “or 3626 of this title,” and inserting~~
 8 ~~“, 3626, or 3629 of this title”.~~

9 *(2) The first sentence of section 2401(c) of title 39,*
 10 *United States Code, is amended by striking out “and*
 11 *3626(a)–(h) and (j)–(k) of this title,” and inserting in lieu*
 12 *thereof “3626(a)–(h), 3626(j)–(k), and 3629 of this title”.*

13 *(3) Section 3627 of title 39, United States Code, is*
 14 *amended by striking out “or 3626 of this title,” and insert-*
 15 *ing in lieu thereof “3626, or 3629 of this title”.*

16 (4) The table of sections for chapter 36 of title 39,
 17 United States Code, is amended by inserting after the
 18 item relating to section 3628 the following new item:

“3629. Reduced rates for voter registration purposes.”.

19 (i) PUBLIC DISCLOSURE OF VOTER REGISTRATION
 20 ACTIVITIES.—(1) Each State shall maintain for at least
 21 2 years and shall make available for public inspection and,
 22 where available, photocopying at a reasonable cost, all
 23 records concerning the implementation of programs and
 24 activities conducted for the purpose of ensuring the accu-

1 racy and currency of official lists of eligible voters, except
2 to the extent that such records relate to a declination to
3 register to vote or to the identity of a voter registration
4 agency through which any particular voter is registered.

5 (2) The records maintained pursuant to paragraph
6 (1) shall include lists of the names and addresses of all
7 persons to whom notices described in subsection (d)(2) are
8 sent, and information concerning whether or not each such
9 person has responded to the notice as of the date that
10 inspection of the records is made.

11 (j) DEFINITION.—For the purposes of this section,
12 the term “registrar’s jurisdiction” means—

13 (1) an incorporated city, town, borough, or
14 other form of municipality;

15 (2) if voter registration is maintained by a
16 county, parish, or other unit of government that gov-
17 erns a larger geographic area than a municipality,
18 the geographic area governed by that unit of govern-
19 ment; or

20 (3) if voter registration is maintained on a con-
21 solidated basis for more than one municipality or
22 other unit of government by an office that performs
23 all of the functions of a voting registrar, the geo-
24 graphic area of the consolidated municipalities or
25 other geographic units.

1 **SEC. 9. FEDERAL COORDINATION AND REGULATIONS.**

2 (a) IN GENERAL.—The Federal Election Commis-
3 sion—

4 (1) in consultation with the chief election offi-
5 cers of the States, the heads of the departments,
6 agencies, and other entities of the executive branch
7 of the Federal Government, and representatives of
8 nongovernmental entities, shall prescribe such regu-
9 lations as are necessary to carry out this Act;

10 (2) in consultation with the chief election offi-
11 cers of the States, shall develop a mail voter reg-
12 istration application form for elections for Federal
13 office;

14 (3) not later than June 30 of each odd-num-
15 bered year, shall submit to the Congress a report as-
16 sessing the impact of this Act on the administration
17 of elections for Federal office during the preceding
18 2-year period and including recommendations for
19 improvements in Federal and State procedures,
20 forms, and other matters affected by this Act; and

21 (4) shall provide information to the States with
22 respect to the responsibilities of the States under
23 this Act.

24 (b) CONTENTS OF MAIL VOTER REGISTRATION
25 FORM.—The mail voter registration form developed under
26 subsection (a)(2)—

1 (1) may require only such identifying informa-
2 tion (including the signature of the applicant) and
3 other information (including data relating to pre-
4 vious registration by the applicant), as is necessary
5 to enable the appropriate State election official to
6 assess the eligibility of the applicant and to admin-
7 ister voter registration and other parts of the elec-
8 tion process;

9 (2) shall include a statement that—

10 (A) specifies each eligibility requirement
11 (including citizenship);

12 (B) contains an attestation that the appli-
13 cant meets each such requirement; and

14 (C) requires the signature of the applicant,
15 under penalty of perjury; and

16 (3) may not include any requirement for notari-
17 zation or other formal authentication.

18 **SEC. 10. DESIGNATION OF CHIEF STATE ELECTION OFFI-**
19 **CIAL.**

20 Each State shall designate a State officer or employee
21 as the chief State election official to be responsible for co-
22 ordination of State responsibilities under this Act.

1 **SEC. 11. CIVIL ENFORCEMENT AND PRIVATE RIGHT OF AC-**
2 **TION.**

3 (a) ATTORNEY GENERAL.—The Attorney General
4 may bring a civil action in an appropriate district court
5 for such declaratory or injunctive relief as is necessary to
6 carry out this Act.

7 (b) PRIVATE RIGHT OF ACTION.—(1) A person who
8 is aggrieved by a violation of this Act may provide written
9 notice of the violation to the chief election official of the
10 State involved.

11 (2) If the violation is not corrected within 90 days
12 after receipt of a notice under paragraph (1), or within
13 20 days after receipt of the notice if the violation occurred
14 within 120 days before the date of an election for Federal
15 office, the aggrieved person may bring a civil action in an
16 appropriate district court for declaratory or injunctive re-
17 lief with respect to the violation.

18 (3) If the violation occurred within 30 days before
19 the date of an election for Federal office, the aggrieved
20 person need not provide notice to the chief election official
21 of the State under paragraph (1) before bringing a civil
22 action under paragraph (2).

23 (c) ATTORNEY'S FEES.—In a civil action under this
24 section, the court may allow the prevailing party (other
25 than the United States) reasonable attorney fees, includ-
26 ing litigation expenses, and costs.

1 (d) RELATION TO OTHER LAWS.—(1) The rights and
2 remedies established by this section are in addition to all
3 other rights and remedies provided by law, and neither
4 the rights and remedies established by this section nor any
5 other provision of this Act shall supersede, restrict, or
6 limit the application of the Voting Rights Act of 1965 (42
7 U.S.C. 1973 et seq.).

8 (2) Nothing in this Act authorizes or requires con-
9 duct that is prohibited by the Voting Rights Act of 1965
10 (42 U.S.C. 1973 et seq.).

11 **SEC. 12. CRIMINAL PENALTIES.**

12 A person, including an election official, who in any
13 election for Federal office—

14 (1) knowingly and willfully intimidates, threat-
15 ens, or coerces, or attempts to intimidate, threaten,
16 or coerce, any person for—

17 (A) registering to vote, or voting, or at-
18 tempting to register or vote;

19 (B) urging or aiding any person to register
20 to vote, to vote, or to attempt to register or
21 vote; or

22 (C) exercising any right under this Act; or

23 (2) knowingly and willfully deprives, defrauds,
24 or attempts to deprive or defraud the residents of a

1 State of a fair and impartially conducted election
2 process, by—

3 (A) the procurement or submission of voter
4 registration applications that are known by the
5 person to be materially false, fictitious, or
6 fraudulent under the laws of the State in which
7 the election is held; or

8 (B) the procurement, casting, or tabulation
9 of ballots that are known by the person to be
10 materially false, fictitious, or fraudulent under
11 the laws of the State in which the election is
12 held,

13 shall be fined in accordance with title 18, United States
14 Code, or imprisoned not more than 5 years, or both.

15 **SEC. 13. EFFECTIVE DATE.**

16 This Act shall take effect—

17 (1) with respect to a State that on the date of
18 enactment of this Act has a provision in the con-
19 stitution of the State that would preclude compliance
20 with this Act unless the State maintained separate
21 Federal and State official lists of eligible voters,
22 on January 1, 1996; and

23 (2) with respect to any State not described in
24 paragraph (1), on January 1, 1995.